

DODGE COUNTY EXECUTIVE COMMITTEE

December 1, 2014, 8:30 A.M.

FOURTH FLOOR CONFERENCE ROOM 4C

DODGE COUNTY ADMINISTRATION BUILDING, JUNEAU, WI 53039

The meeting was called to order at 8:30 a.m. by Dodge County Executive Committee Chairman, Russell Kottke.

Members present: Berres, Frohling, Johnson, Kottke, Maly, Marsik and Miller.

Members absent: None.

Others present: County Administrator Jim Mielke, Emergency Management Director Amy B. Nehls, County Clerk Karen Gibson, Deputy County Clerk Christine Kjornes, Corporation Counsel John F. Corey, and Dodge County Sheriff Pat Ninmann.

Motion by Miller, 2nd by Marsik to approve the October 6, 2014 minutes as presented. Motion carried.

Motion by Miller, 2nd by Frohling to authorize out-of-state travel for Sheriff's Department Sergeant Dennis Walston, to attend the Crash Data Retrieval Conference in Houston, Texas, on January 25-28, 2015. Motion carried.

County Clerk Karen Gibson reviewed agenda items for the Tuesday, December 16, 2014 County Board meeting. Ms. Gibson reported that the agenda will include Resolutions from the Executive Committee, Finance Committee, Highway Committee, Human Services and Health Board, Law Enforcement Committee, and the Planning, Development and Parks Committee, an Ordinance from the Planning, Development and Parks Committee, the confirmation of an appointment made by the County Administrator, and the confirmation of appointments made by the County Board Chairman.

Administrator Mielke provided an oral update to the Committee regarding an incident that occurred in August of 2014 that involved a vehicle that is owned by the Dodge County Highway Department and a vehicle that is owned by a private party. Administrator Mielke reported that Dodge County has received from State Farm Insurance Company a claim for damages arising from this incident.

Administrator Mielke provided an oral report to the Committee regarding an incident that occurred on November 15, 2014 involving a Dodge County Highway snowplow truck and a vehicle owned by a private party.

Administrator Mielke provided an oral update to the Committee regarding a hearing that was held on October 14, 2014 in the Dodge County Circuit Court regarding Drainage District 88, which affects the Dodge County Drainage Board.

Corporation Counsel John Corey provided an oral update to the Committee regarding records retention policies and a proposed records retention/disposition ordinance. Mr. Corey reported that the proposed records retention/disposition schedule has been previewed by an employee of the Public Records Board and that the proposed records retention/disposition schedule will be reviewed by the Public Records Board in February of 2015.

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DODGE COUNTY ADMINISTRATION BUILDING, JUNEAU, WI 53039

Page 2 of 4

Mr. Corey provided an oral report to the Committee regarding railroad right-of-way owned by the State of Wisconsin and located near the intersection of North Spring Street and University Avenue, in the City of Beaver Dam. Mr. Corey reported that on November 7, 2014, he received a letter from Peter A. Bradley of the Wisconsin Department of Transportation, Railroads & Harbors Section, notifying Dodge County of its right under Section 85.09, of the *Wisconsin Statutes* to purchase part of this railroad right-of-way. Motion by Johnson, 2nd by Berres to decline this offer to purchase and to authorize and direct John Corey to so inform Peter A. Bradley in writing. Motion carried by a vote of 6 yes and 1 abstention (Maly).

Mr. Corey provided an oral update to the Committee regarding the former MetalFab property located at 401 Madison Street, in the City of Beaver Dam. Mr. Corey reported that the tenant is making arrangements for an auction sale of manufacturing equipment located on site, and it is likely that the auction sale will be completed by February of 2015.

Mr. Corey provided an oral update to the Committee regarding county-owned vacant lots located in the City of Fox Lake. Mr. Corey reported that parties are interested in purchasing these vacant lots and the sale of these vacant lots will be a topic on the agenda for the Highway Committee meeting scheduled for December 5, 2014.

Emergency Management Director Amy Nehls provided an oral report to the Committee regarding a meeting of the Dodge County Administration Building Emergency Planning Committee that is scheduled to take place on December 1, 2014, at 1:00 p.m.

Ms. Nehls provided an oral update to the Committee regarding the Assistance to Firefighter Grant. Ms. Nehls reported that FEMA is conducting an audit of the equipment that was purchased with Simulcast grant funds and that Emergency Management Deputy Director Joe Meagher is continuing to work with the Fox Lake Fire Department to compile information to submit to FEMA in connection with the audit.

Ms. Nehls provided an oral update to the Committee regarding the Simulcast Project-Phase II. Ms. Nehls reported that she will contact Communications Service of Portage, Wisconsin, and request that Communications Service provide to her a written proposal setting forth the costs to install radio communications equipment at the tower sites, and that Ms. Nehls will present the written proposal to the Executive Committee at its meeting scheduled for January 5, 2015.

The Committee discussed a request by a citizen to explore a local shared sales tax remittance program. After thorough discussion, it was the consensus of the Committee that Dodge County will adhere to the current sales tax policy of utilizing remittances for county initiated debt service and capital projects.

The Committee discussed the proposed Resolution to grant authorization to the Finance Committee to appropriate or transfer funds upon the request of the committee of jurisdiction of an individual county department. The proposed Resolution authorizes the Finance Committee to: 1. Appropriate to the budget of an individual county department, funds from the following sources: excess revenues; fund

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DODGE COUNTY ADMINISTRATION BUILDING, JUNEAU, WI 53039

Page 3 of 4

balances, except General Fund Balances; grant awards; funds received from the State of Wisconsin; and, funds received from the United States of America; and, 2. Transfer funds between business units of an individual county department. By request of Supervisor Johnson and Supervisor Maly, Mr. Corey revised the language of subparagraph 1 of the So, Now, Therefore, Be It Resolved, paragraph to read as follows: "1. Appropriate to the budget of an individual county department, funds *previously received or anticipated to be received by the same individual county department* from the following sources: excess revenues; fund balances, except General Fund Balances; grant awards; funds received from the State of Wisconsin; and, funds received from the United States of America." Supervisor Maly requested that in the event the Finance Committee appropriates excess revenues to the budget of an individual county department, then the Finance Committee shall present to the County Board a written report of each such appropriation. Motion by Frohling, 2nd by Marsik to approve the Resolution and forward the Resolution to the County Board for consideration at its December 16, 2014 meeting. Motion carried by a vote of 6 yes and 1 no (Berres voted no).

Supervisor Frohling reported that he will soon meet with staff members of the office of Senator Scott Fitzgerald to discuss the State of Wisconsin 2015-2017 biennial budget, and that on January 21, 2015, he will attend a meeting of the Taxation and Finance Steering Committee of the Wisconsin Counties Association.

Chairman Kottke distributed to the Committee members registration materials for the County Ambassador Program.

A motion was made at 10:25 a.m., by Frohling, 2nd by Marsik to convene in closed session.

Before voting on the motion, Chairman Kottke announced to all present that the purpose of the closed session will be to confer with legal counsel for Dodge County, who will render oral advice concerning strategy to be adopted by Dodge County with respect to litigation in which it is involved, namely, *Treble H. Henderson, Plaintiff, v. Dodge County, et al., Defendants*, United States District Court, Eastern District of Wisconsin, Case No. 14-CV-0804, and *Adam A. Locke, Plaintiff, vs. Dodge County, et al., Defendants*, United States District Court, Eastern District of Wisconsin, Case No. 14-CV-1143, and with respect to litigation in which it is likely to become involved, namely, litigation which is likely to arise from allegations set forth in a *Notice of Circumstances of Injury* regarding David R. Pipkin and/or the Estate of David R. Pipkin, and *Notice of Circumstances of Injury* regarding Marcia S. Pipkin and/or the Estate of Marcia S. Pipkin, and that Section 19.85(1)(g) of the *Wisconsin Statutes*, authorizes the closed session.

A roll call vote was taken. Motion carried by unanimous vote of all members present, at 10:26 a.m.

There was a conference with Attorney John F. Corey, Dodge County Corporation Counsel, who is legal counsel for Dodge County, Wisconsin, who gave oral advice concerning strategy to be adopted by Dodge County, with respect to litigation in which it is involved, namely, *Treble H. Henderson, Plaintiff, v. Dodge County, et al., Defendants*, United States District Court, Eastern District of Wisconsin, Case No. 14-CV-0804, and *Adam A. Locke, Plaintiff, vs. Dodge County, et al., Defendants*, United States District Court, Eastern District of Wisconsin, Case No. 14-CV-1143, and

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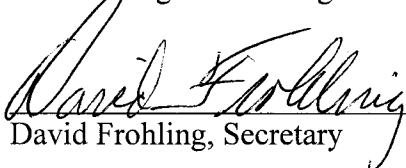
Page 4 of 4

with respect to litigation in which it is likely to become involved, namely, litigation which is likely to arise from allegations set forth in a *Notice of Circumstances of Injury* regarding David R. Pipkin and/or the Estate of David R. Pipkin, and *Notice of Circumstances of Injury* regarding Marcia S. Pipkin and/or the Estate of Marcia S. Pipkin. There was a discussion of such oral advice.

Motion by Johnson, 2nd by Maly to reconvene in open session. A roll call vote was taken. Motion carried by unanimous vote of all members present, at 10:57 a.m.

Meeting adjourned at 10:57 a.m. by the order of the Chairman.

The next regular meeting is scheduled for Monday, **January 5, 2015 at 8:30 a.m.**


David Frohling, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.